IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G. ROHINI

WRIT PETITION NO : 12946 of 2004

Between:

Topaz Bar and Restaurant at premises bearing No.1-1-03/A 4th floor,

Sonabhan Commercial Complex, Secunderabad, rep. by its Partner Mr. C.Y. Raju, s/o C.V. Yadagiri, aged 34 years, Occ: Business.

..... PETITIONER

AND

1. The Commissioner of Police, Hyderabad.
2. State of A.P., rep. by its Secretary, Home Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or any appropriate writ or writs or direction/s more particularly in the nature of writ of mandamus declaring the inaction of the respondents in passing the orders pursuant to the application No.L&O/A3/606/2004, dated 15.04.2004 for grant of amusement license is illegal, arbitrary and unconstitutional and consequently direct the respondents to forthwith pass orders on the application pending disposal of the Writ Petition.

Counsel for the Petitioner: Mr. B. Vijaysen Reddy.

Counsel for the Respondents: G.P for Home.

The Court made the following :

ORAL ORDER:

The only grievance of the petitioner is that though the petitioner-restaurant made an application for grant of Amusement Licence as long back as on 15.04.2004, first respondent has not considered the same.

In the affidavit filed in support of the writ petition, it is stated that the petitioner-restaurant made an application for grant of amusement licence furnishing all the required documents and the same was registered vide No. L&O/A3/606/2004, dated 15.04.2004. Thereafter the respondents got the petitioner's premises inspected and collected information as to the feasibility of grant of licence, but failed to pass any orders so far on their application. Hence this writ petition.

I have heard the learned counsel for the petitioner and Government Pleader appearing for the respondents.

Having regard to the facts and circumstances of the case,
without expressing any opinion regarding the entitlement of the petitioner for the licence in question, I deem it appropriate to dispose of the Writ Petition with a direction to the 1st respondent to consider the application of the petitioner-restaurant for grant of Amusement licence, if the same is pending on his file and to pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of at the admission stage. No costs.

Dated 19-07-2004

*Nsr/Ars/gbs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Commissioner of Police, Hyderabad.
2. The Secretary, Home Department, Secretariat, Hyderabad.
3. Two CCs to GP for Home, High Court Buildings, Hyderabad (OUT)
4. Two CD copies.